

From: Timothy Miller
To: Microsoft ATR
Date: 1/23/02 10:42am
Subject: Microsoft Settlement

Dear Department of Justice:

I wish to register my objection to the proposed settlement between Microsoft and the DOJ.

As capitalists, we recognize how vital it is that there be vigorous competition in every marketplace. Consider the competition between Intel and AMD. I suspect that without AMD, Intel would be putting more energy into maintaining its already huge market share, rather than putting that energy into improving their products. The result of the competition has been that Intel and AMD have been fighting tooth-and-nail to compete based on the QUALITY of their products, and everybody wins. Microsoft has no such competitor. There is no one who directly competes with Microsoft in the same market, so Microsoft gets comfortable and lazy and takes action only to maintain their position by precluding any other company from entering their market. Consider the recent events involving LindowsOS. Microsoft's primary concern is that since LindowsOS can run Windows software, it might compete with them, so they will find any excuse they can to tie their would-be competitor up in court so they can't function.

And that is the crux of the matter. Microsoft has been declared a monopoly, and they have been found to have acted anticompetitively. Despite this, they continue to act as they always have.

The objective of the DOJ and the Court should be to protect competition, because competition is what benefits consumers and the economy. I have read the Proposed Settlement, and I, like everyone else I know, have found it to be filled with loopholes. It does nothing to repair any of the past damage that Microsoft has caused, and it does very little to prevent them from acting inappropriately in the future. In fact, it has wording that implicitly protects Microsoft from revealing trade secrets to Open Source developers. The Open Source movement is the one of the few thing that has been able to survive and grow against Microsoft in recent years, mostly because there's no one specific that can be sued into oblivion. I was very sad the day I read that the break-up order had been taken off the table by the Bush administration.

Honestly, I think the Proposed Settlement does more harm than good because it gives Microsoft license to continue their past behaviors with government sanction. The Settlement is not helpful to consumers and should be rejected.

Thank you.

Timothy Miller